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individually and as Trustee of The Martha  
11 Kongsgaard GST Exempt Trust U/T/A Dated  
October 21, 1993, and Peter Goldman  
12

13 **UNITED STATES DISTRICT COURT**  
14 **NORTHERN DISTRICT OF CALIFORNIA**  
15

16 FRANCIS WANG, individually and as  
17 Trustee of WFT-TNG, a California Trust,  
and LAURA YOUNG, individually and as  
18 Trustee of WFT-TNG, a California Trust

19 Plaintiffs,

20 v.

21 MARTHA KONGSGAARD, individually  
22 and as Trustee of The Martha Kongsgaard  
GST Exempt Trust U/T/A dated October 21,  
23 1993, PETER GOLDMAN, AL CZAP, and  
BRIAN PELETTA,  
24

25 Defendants.

Case No. 3:19-cv-00907  
**JOINT STATUS REPORT**

1       The parties to the above-entitled action jointly submit this JOINT STATUS REPORT,  
 2 pursuant to this Court's May 15, 2019 order staying the action pending the state court  
 3 proceedings and March 23, 2021 order setting September 3 as the deadline for a joint status  
 4 report. *See* Dkts. 29, 57.

5       Because the initial trial in the state court proceedings will be held next week, including  
 6 on September 10, the date scheduled for a status conference before this Court, the parties  
 7 respectfully ask the Court to reschedule the status conference.

8       The parties continue to litigate the state court proceedings in Napa County Superior  
 9 Court. *See Kongsgaard v. Wang*, Case No. 19CV000286. The court will hold an initial trial  
 10 beginning October 18, 2021, focused solely on Mr. Wang and Ms. Young's claim for specific  
 11 performance, including the existence of an enforceable contract for their purchase of a 12-acre  
 12 parcel from Ms. Kongsgaard, breach, and the availability of specific performance, along with  
 13 any contract defenses. The court's findings in that initial trial will be binding on the fact finder in  
 14 subsequent proceedings in the state court case and will impact whether and in what form the  
 15 court holds further trial proceedings.

16       Plaintiffs and Defendants discussed the court's jurisdiction, underlying facts, legal issues,  
 17 and other matters required in Joint Case Management Statements pursuant to the Standing Order  
 18 for All Judges of the Northern District of California in the Joint Status Report filed as docket  
 19 number 31 and therefore do not repeat that information here. Because the case is stayed, the  
 20 parties do not view alternative dispute resolution as appropriate at this time. And because the  
 21 stay remains in place, the time for the more recently added Defendants—Peter Goldman, Albert  
 22 Czap, and Brian Peletta—to answer or otherwise respond to the amended complaint and to file  
 23 any counterclaim or crossclaim has not yet begun. *See* Dkts. 48, 51, 53

1 Dated: September 2, 2021

By:

2 /s/ Jason M. Skaggs

3 Jason M. Skaggs

*Counsel for Plaintiffs*

4

5 Dated: September 2, 2021

By:

6 /s/ Timothy M. Flaherty

7 Timothy M. Flaherty

8 *Counsel for Defendants Martha Kongsgaard  
and Peter Goldman*

9

10 I hereby attest that I have obtained concurrence in the filing of this document from all  
11 other signatories.

12 /s/ Jason M. Skaggs  
13 Jason M. Skaggs

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